

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Akilah D. Wallace
Debtor(s)

Bankruptcy Case No.: 18-24519-GLT
Issued Per 1/14/2019 Proceeding
Chapter: 13
Docket No.: 24 - 12
Concil. Conf.: June 13, 2019 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 26, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 13, 2019 at 11:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 1 of Capital One Auto.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: January 17, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Akilah D. Wallace
 Debtor

Case No. 18-24519-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 27

Date Rcvd: Jan 17, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 19, 2019.

db
 14955896 ++Akilah D. Wallace, 2005 Denning Way, North Versailles, PA 15137-2658
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: FIA Card Services N.A., 1100 North King Street,
 Wilmington, DE 19884)
 14951840 Capital One Auto Finance, Credit Bureau Dispute, Plano, TX 75025
 14951842 +Collection Service Center, P.O. Box 560, New Kensington, PA 15068-0560
 14951844 +Collection Service Center, Inc., Attn: Bankruptcy, Po Box 560,
 New Kensington, PA 15068-0560
 14951845 +++DITECH, 332 MINNESOTA ST STE E610, SAINT PAUL MN 55101-1311
 (address filed with court: Ditech, 332 Minnesota St Ste 610, Saint Paul, MN 55101)
 14955897 +FIA Card Services N.A., c/o Apothaker Scian P.C., 520 Fellowship Road C306, PO Box 5496,
 Mount Laurel, NJ 08054-5496
 14951848 +Frederic I Weinberg & Associates, P.C., 375 E. Elm Street, Suite 210,
 Conshohocken, PA 19428-1973
 14951853 +Mattleman, Weinroth & Miller, P.C., Attn: Robert W. Williams, Esquire,
 401 Route 70 East, Suite 200, Cherry Hill, NJ 08034-2410
 14979296 +PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101-4982
 14951854 +PNC Bank, PO Box 8807, Dayton, OH 45401-8807
 14951855 +PNC Mortgage, 3232 Newark Drive, Miamisburg, OH 45342-5433
 14975663 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jan 18 2019 02:42:37
 Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS,
 Oklahoma City, OK 73118-7901
 cr +E-mail/Text: kburkley@bernsteinlaw.com Jan 18 2019 02:41:48 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14951839 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Jan 18 2019 02:41:34
 Bayview Loan Servicing LLC, 4425 Ponce DeLeon Boulevard, Coral Gables, FL 33146-1837
 14951841 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Jan 18 2019 02:42:24
 Capital One Auto Finance, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14955888 E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Jan 18 2019 02:42:24
 Capital One Auto Finance, 7933 Preston Road, Plano, TX 75024-2302
 14964779 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jan 18 2019 02:42:19
 Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
 14951843 +E-mail/Text: bankruptcy@firstenergycorp.com Jan 18 2019 02:41:08
 Collection Service Center, Inc., 839 5th Ave, New Kensington, PA 15068-6303
 14951846 +E-mail/Text: bankruptcy.bnc@ditech.com Jan 18 2019 02:40:26 Ditech, Attn: Bankruptcy,
 Po Box 6172, Rapid City, SD 57709-6172
 14951847 +E-mail/Text: bankruptcynotices@dcicollect.com Jan 18 2019 02:41:35 Diversified Consultant,
 PO Box 551268, Jacksonville, FL 32255-1268
 14951849 E-mail/Text: JCAP_BNC_Notices@jcap.com Jan 18 2019 02:41:21 Jefferson Capital Systems, LLC,
 16 Mclelland Rd, Saint Cloud, MN 56303
 14951850 E-mail/Text: JCAP_BNC_Notices@jcap.com Jan 18 2019 02:41:22 Jefferson Capital Systems, LLC,
 Po Box 1999, Saint Cloud, MN 56302
 14951851 E-mail/Text: camanagement@mtb.com Jan 18 2019 02:40:28 M&T Bank, PO Box 900,
 Millsboro, DE 19966
 14951856 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 18 2019 02:43:00
 Portfolio Recovery, 120 Corporate Blvd Ste 1, Norfolk, VA 23502
 14951857 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 18 2019 02:42:20
 Portfolio Recovery, Po Box 41021, Norfolk, VA 23541-1021

TOTAL: 14

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr BAYVIEW LOAN SERVICING, LLC
 cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14955887* +Bayview Loan Servicing LLC, 4425 Ponce DeLeon Boulevard, Coral Gables, FL 33146-1837
 14955889* +Capital One Auto Finance, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14955890* +Collection Service Center, P.O. Box 560, New Kensington, PA 15068-0560
 14955891* +Collection Service Center, Inc., 839 5th Ave, New Kensington, PA 15068-6303
 14955892* +Collection Service Center, Inc., Attn: Bankruptcy, Po Box 560,
 New Kensington, PA 15068-0560
 14955893* +++DITECH, 332 MINNESOTA ST STE E610, SAINT PAUL MN 55101-1311
 (address filed with court: Ditech, 332 Minnesota St Ste 610, Saint Paul, MN 55101)
 14955894* +Ditech, Attn: Bankruptcy, Po Box 6172, Rapid City, SD 57709-6172
 14955895* +Diversified Consultant, PO Box 551268, Jacksonville, FL 32255-1268
 14955898* +Frederic I Weinberg & Associates, P.C., 375 E. Elm Street, Suite 210,
 Conshohocken, PA 19428-1973
 14955899* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999
 (address filed with court: Jefferson Capital Systems, LLC, 16 Mclelland Rd,
 Saint Cloud, MN 56303)

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 27

Date Rcvd: Jan 17, 2019

***** BYPASSED RECIPIENTS (continued) *****
14955900* Jefferson Capital Systems, LLC, Po Box 1999, Saint Cloud, MN 56302
14955901* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307
(address filed with court: M&T Bank, PO Box 900, Millsboro, DE 19966)
14951852* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307
(address filed with court: M&T Bank*, Attn: Bankruptcy Department, 475 Crosspoint Parkway,
Getzville, NY 14068)
14955902* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307
(address filed with court: M&T Bank*, Attn: Bankruptcy Department, 475 Crosspoint Parkway,
Getzville, NY 14068)
14955903* +Mattleman, Weinroth & Miller, P.C., Attn: Robert W. Williams, Esquire,
401 Route 70 East, Suite 200, Cherry Hill, NJ 08034-2410
14955904* +PNC Bank, PO Box 8807, Dayton, OH 45401-8807
14955905* +PNC Mortgage, 3232 Newark Drive, Miamisburg, OH 45342-5433
14955906* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery, 120 Corporate Blvd Ste 1, Norfolk, VA 23502)
14955907* +Portfolio Recovery, Po Box 41021, Norfolk, VA 23541-1021
TOTALS: 1, * 20, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 19, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 17, 2019 at the address(es) listed below:

Christopher M. Frye on behalf of Debtor Akilah D. Wallace chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
James Warmbrodt on behalf of Creditor BAYVIEW LOAN SERVICING, LLC bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
DMcKay@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 6